

# **PUBLIC NOTICE**

PERMIT APPLICATION: NRS 06.202

**APPLICANT: Steve A. McKenzie Companies**

Lee Carter, Director  
2253 Chambliss Avenue Suite 300  
P. O. Box 1479  
Cleveland, TN 37364  
423-478-1159

**LOCATION:** Unnamed tributary to Mouse Creek, Paul Huff Parkway, Cleveland, TN  
Bradley County lat 35.19524/long -84.85378

**WATERSHED DESCRIPTION:** The affected stream is an intermittent first order unnamed tributary to Mouse Creek. The tributary is silt/clay bottomed 2-4 feet wide channel with stable 1-2 foot banks. Vegetation along the stream is primarily mixed hard wood. Land use is primarily residential.

**PROJECT DESCRIPTION:** The applicant proposes to culvert approximately 635 feet of the existing 835 feet of open intermittent channel for the development of a 14-acre tract of land along Paul Huff Parkway. Enhancement and restoration of 1,025 feet of Fillauer Branch would be used as mitigation for the proposed impacts. The mitigation stream is a 303(d) listed (sediment, pathogens, habitat alteration) second order perennial tributary of Mouse creek with unstable banks, is deeply incised, and lacks riparian vegetation. The associated floodplain around the mitigation channel has historic unconsolidated fill material that adds sediment to the stream. This area would be improved by removal of the fill and creation of depressions, swales, and sloughs to allow for runoff storage, water quality treatment, and to widen riparian/floodplain habitat.

In accordance with the Tennessee Antidegradation Statement (Rule 1200-4-3-.06), the division has determined that the proposed activity will not result in degradation to water quality.

**USGS TOPOGRAPHIC QUADRANGLE:** East Cleveland, TN (120-NE)

**PERMIT COORDINATOR:** Brian Canada

No decision has been made whether to issue or deny this permit. The purpose of this notice is to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within **thirty days of the date that this notice is posted**. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced.

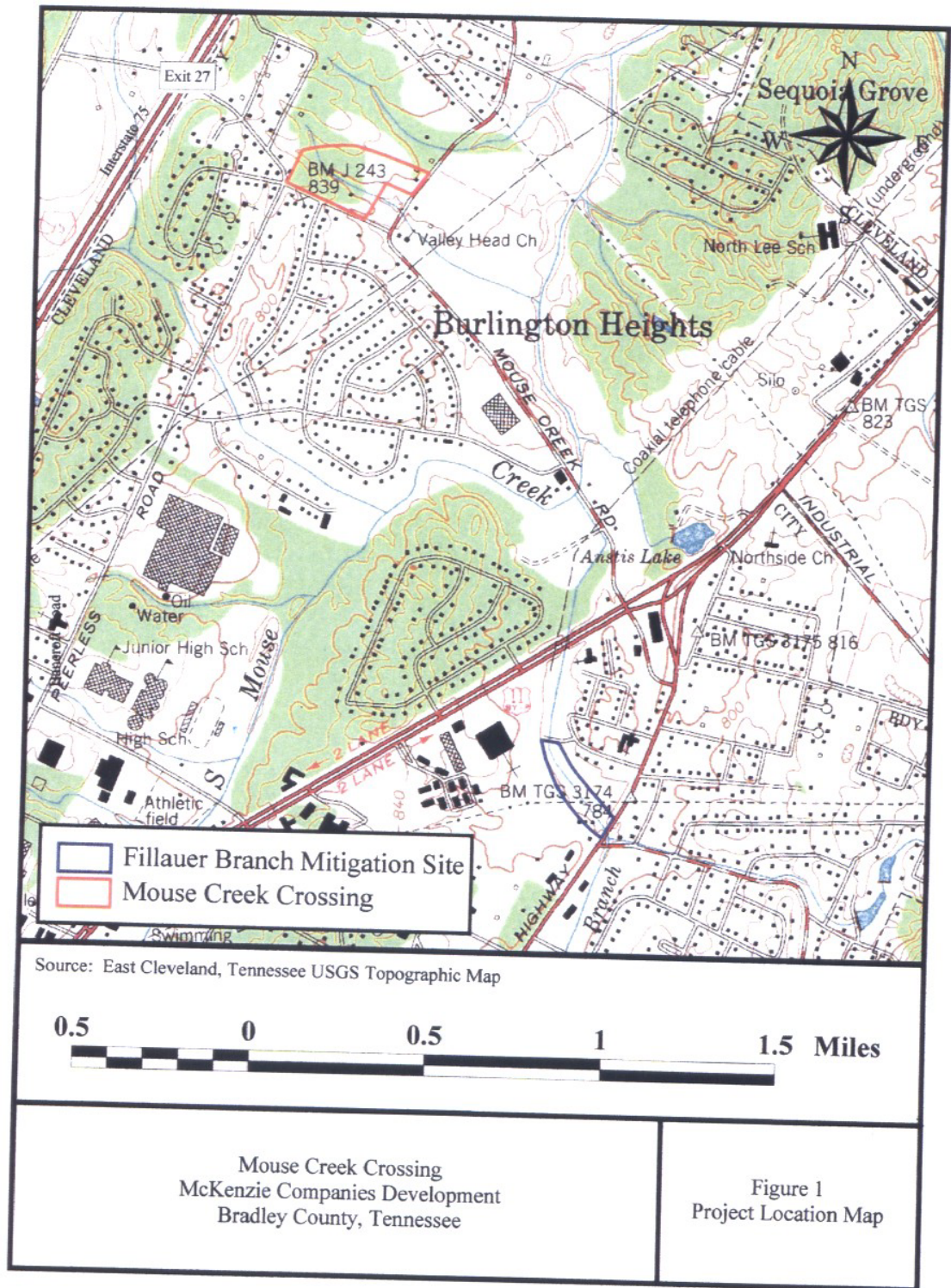
Interested persons may also request in writing that the department hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that the hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the department will hold a public hearing.

The permit application, supporting documentation including detailed plans and maps, and related comments are available at the department's address for review and/or copying. The department's address is:

Tennessee Department of Environment & Conservation  
Division of Water Pollution Control, Natural Resources Section

7th Floor L & C Annex  
401 Church Street  
Nashville, TN 37243

In deciding whether to issue or deny a permit, the department will consider all comments on record and the requirements of applicable federal and state laws.



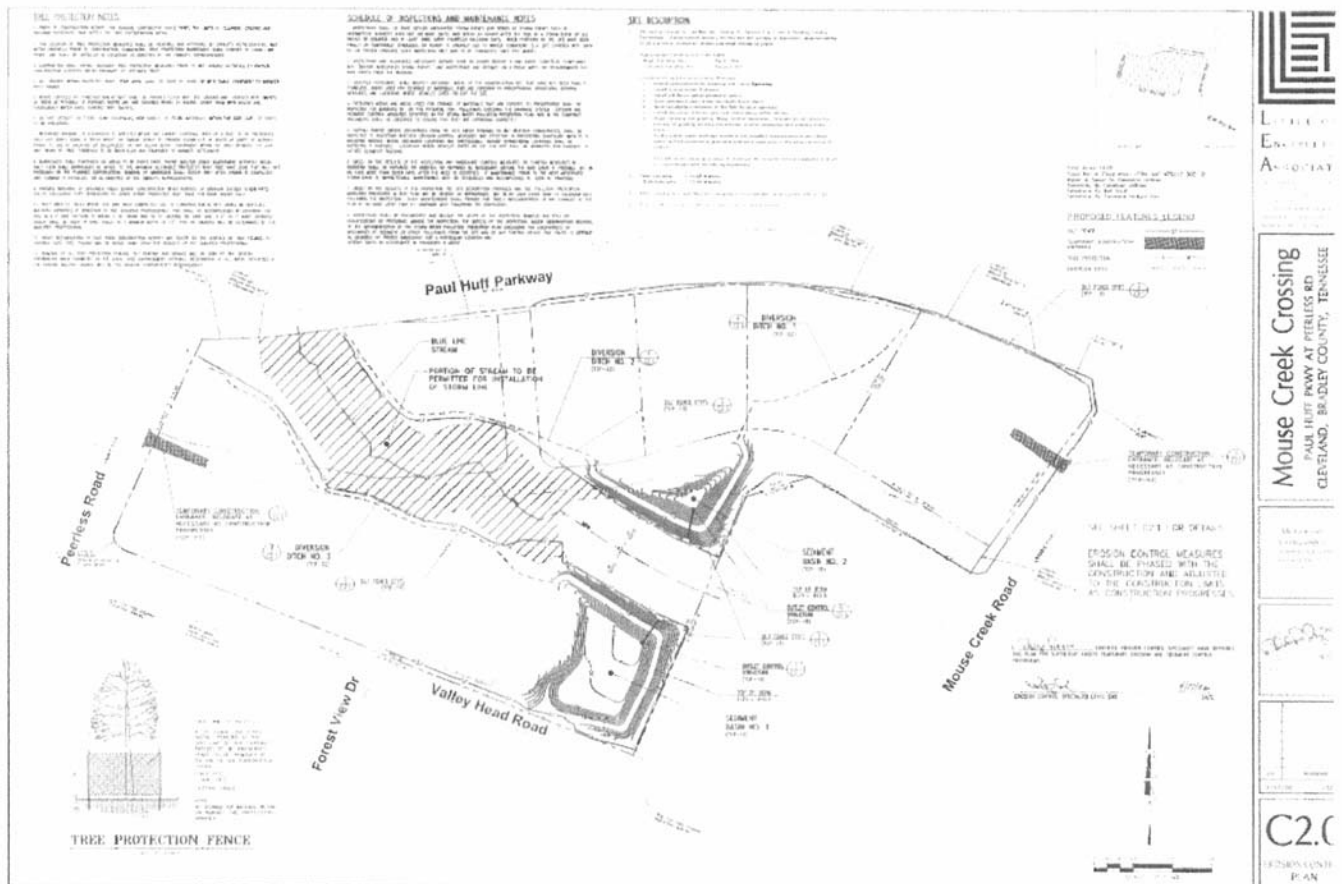
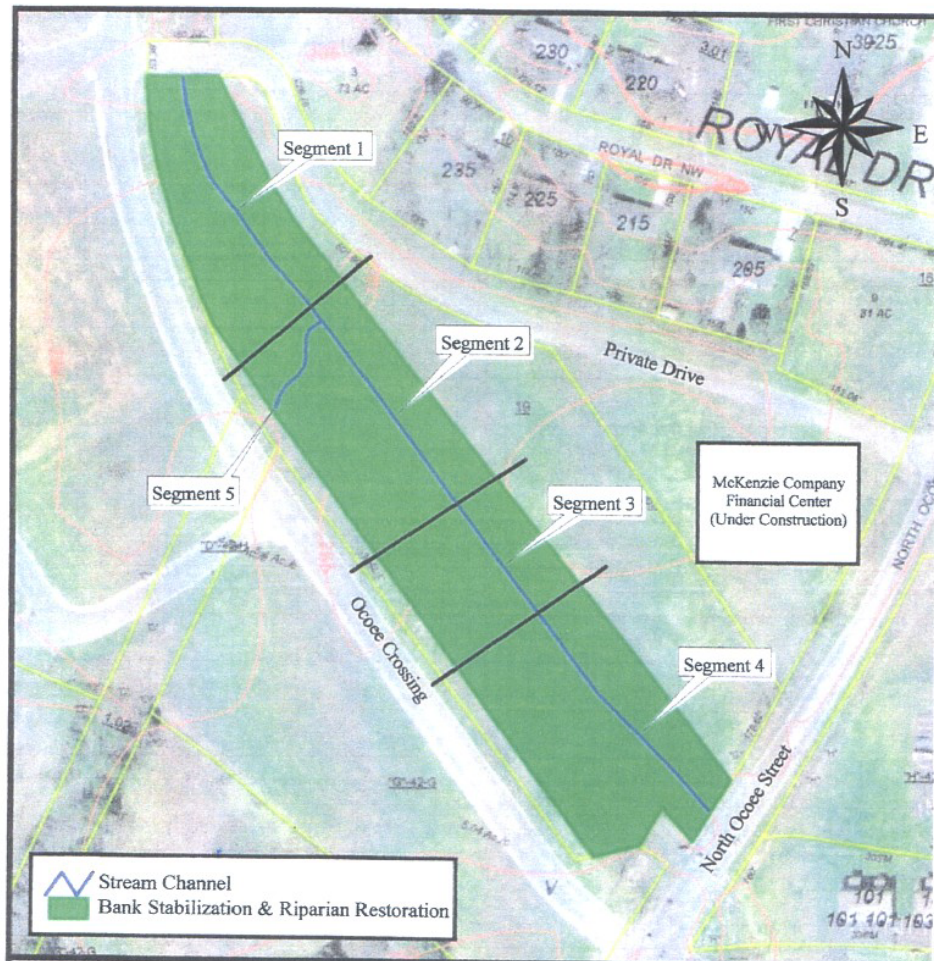


Figure 5. Existing Stream Location at Mouse Creek Crossing, Cleveland TN





Figure 4. Aerial View of Fillauer Branch Mitigation Site



Source: Bradley County Assessor of Property GIS Database

Scale: 1 Inch = 200 Feet

Fillauer Branch Mitigation Site  
McKenzie Companies Development  
Bradley County, Tennessee

Figure 8  
Off-site Mitigation  
Segments